

TO: KURTZMAN CARSON CONSULTANTS  
FROM: G&S LIVINGSTON REALTY INC.  
RE: PROOF OF CLAIM - CIRCUIT CITY STORES  
DATE: JANUARY 23, 2009

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Attached please find for filing a copy of the proof of claim of G&S Livingston Realty Inc. The claim in the amount of \$1,350,404 is based on the rejection by debtors of the lease for the store space on Mount Pleasant Avenue, Livingston, NJ. A copy of the lease and a schedule showing the calculation of damages is attached.

Enclosed is a self-addressed, stamped envelope. Kindly return same to claimant with an acknowledgment of receipt of the proof of claim.

Douglas N. Riley  
For G&S Livingston Realty Inc.  
211 E. 43rd Street  
New York, NY 10017  
212 286 3300

B 10 (Official Form 10) (12/07)

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA

PROOF OF CLAIM

Debtor against which claim is asserted: (Check only one box below:)

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Circuit City Stores, Inc. (Case No. 08-35653) | <input type="checkbox"/> CC Distribution Company of Virginia, Inc. (Case No. 08-35659) | <input type="checkbox"/> Abbott Advertising, Inc. (Case No. 08-35665) |
| <input type="checkbox"/> Circuit City Stores West Coast, Inc. (Case No. 08-35654) | <input type="checkbox"/> Circuit City Stores PR, LLC (Case No. 08-35660)               | <input type="checkbox"/> Mayland MN, LLC (Case No. 08-35666)          |
| <input type="checkbox"/> InterTAN, Inc. (Case No. 08-35655)                       | <input type="checkbox"/> Circuit City Properties, LLC (Case No. 08-35661)              | <input type="checkbox"/> Patapsco Designs, Inc. (Case No. 08-35667)   |
| <input type="checkbox"/> Veeva International, Inc. (Case No. 08-35656)            | <input type="checkbox"/> Orbyx Electronics, LLC (Case No. 08-35662)                    | <input type="checkbox"/> Sky Venture Corporation (Case No. 08-35668)  |
| <input type="checkbox"/> Circuit City Purchasing Company, LLC (Case No. 08-35657) | <input type="checkbox"/> Kinzer Technology, LLC (Case No. 08-35663)                    | <input type="checkbox"/> XSTuff, LLC (Case No. 08-35669)              |
| <input type="checkbox"/> Aviation, LLC (Case No. 08-35658)                        | <input type="checkbox"/> Courchevel, LLC (Case No. 08-35664)                           | <input type="checkbox"/> PRAHS, INC. (Case No. 08-35670)              |

**NOTE:** This form should not be used to make a claim for administrative expenses arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503(a).

Name of Creditor (the person or other entity to whom the debtor owes money or property):

G&S LIVINGSTON REALTY INC

Name and address where notices should be sent:

NameID: 4496141

PackID: 177625

G&S LIVINGSTON REALTY INC  
PO BOX 712421  
CINCINNATI OH 45271-2421

211 E. 43rd St.  
NY, NY 10017

Telephone number:

212-286-3300

Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number:

(if known)

Filed on:

Name and address where payment should be sent (if different from above):

G&S Livingston Realty, Inc. c/o Key Bank  
PO Box 712421  
Cincinnati, OH 45271-2421

Telephone number:

212-286-3300

Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed:

\$ 1,350,404.28

If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.

If all or part of your claim is entitled to priority, complete item 5.

Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. Basis for Claim:

Rejection of Lease

(See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor:

3a. Debtor may have scheduled account as:

(See instruction #3a on reverse side.)

Secured Claim (See instruction #4 on reverse side.)

Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Nature of property or right of setoff:  
Describe:

Real Estate

Motor Vehicle

Other

Value of Property: \$ Annual Interest Rate %

Amount of arrearage and other charges as of time case filed included in secured claim.

if any: \$

Basis for perfection:

Amount of Secured Claim: \$

Amount Unsecured: \$

5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim.

Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Wages, salaries, or commissions (up to \$10,950\*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtors business, whichever is earlier — 11 U.S.C. § 507(a)(4).

Contributions to an employee benefit plan — 11 U.S.C. § 507(a)(5).

Up to \$2,425\* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use — 11 U.S.C. § 507(a)(7).

Taxes or penalties owed to governmental units — 11 U.S.C. § 507(a)(8).

Other - Specify applicable paragraph of 11 U.S.C. § 507(a)( ).

Amount entitled to priority:

\$

\* Amounts are subject to adjustment on 4-1-10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment

6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of "redacted" on reverse side.)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

Date:

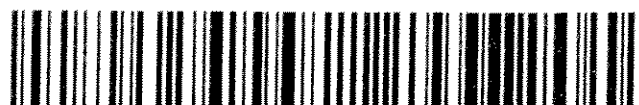
1/23/14

Signature: the person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

Douglas M. Riley  
Secretary, G&S Livingston Realty, Inc

FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.



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**Circuit City Stores Inc**

**Livingston NY Location**

**Rent, CAM, Tax Calculation for Remaining Lease Term**

**RENT CALCULATION**

From	To	Mthly Rent Rate	Lease Year Balance	Cumulative Total	15%
1/1/2009	1/31/2009	56,745.50	56,745.50	56,745.50	
2/1/2009	1/31/2010	56,745.50	680,946.00	737,691.50	
2/1/2010	1/31/2011	56,745.50	680,946.00	1,418,637.50	
2/1/2011	1/31/2012	56,745.50	680,946.00	2,099,583.50	
2/1/2012	1/31/2013	56,745.50	680,946.00	2,780,529.50	
2/1/2013	1/31/2014	59,582.78	714,993.36	3,495,522.86	
2/1/2014	1/31/2015	59,582.78	714,993.36	4,210,516.22	
2/1/2015	1/31/2016	59,582.78	714,993.36	4,925,509.58	
2/1/2016	1/31/2017	59,582.78	714,993.36	5,640,502.94	
2/1/2017	1/31/2018	59,582.78	714,993.36	6,355,496.30	
Total Rent Remaining on Lease				6,355,496.30	953,324.45

**CAM CALCULATION**

From	To	Mthly CAM Rate	Lease Year Balance	Cumulative Total	15%
1/1/2009	1/31/2009	5,415.80	5,415.80	5,415.80	
2/1/2009	1/31/2010	5,578.27	66,939.29	72,355.09	
2/1/2010	1/31/2011	5,745.62	68,947.47	141,302.55	
2/1/2011	1/31/2012	5,917.99	71,015.89	212,318.45	
2/1/2012	1/31/2013	6,095.53	73,146.37	285,464.81	
2/1/2013	1/31/2014	6,278.40	75,340.76	360,805.57	
2/1/2014	1/31/2015	6,466.75	77,600.98	438,406.55	
2/1/2015	1/31/2016	6,660.75	79,929.01	518,335.56	
2/1/2016	1/31/2017	6,860.57	82,326.88	600,662.44	
2/1/2017	1/31/2018	7,066.39	84,796.69	685,459.13	
Total CAM Remaining on Lease -Annual Increase of 3%				685,459.13	102,818.87

**TAX CALCULATION**

From	To	Mthly TAX Rate	Lease Year Balance	Cumulative Total	15%
1/1/2009	1/31/2009	15,499.67	15,499.67	15,499.67	
2/1/2009	1/31/2010	15,964.66	191,575.92	207,075.59	
2/1/2010	1/31/2011	16,443.60	197,323.20	404,398.79	
2/1/2011	1/31/2012	16,936.91	203,242.89	607,641.68	
2/1/2012	1/31/2013	17,445.02	209,340.18	816,981.87	
2/1/2013	1/31/2014	17,968.37	215,620.39	1,032,602.25	
2/1/2014	1/31/2015	18,507.42	222,089.00	1,254,691.25	
2/1/2015	1/31/2016	19,062.64	228,751.67	1,483,442.92	
2/1/2016	1/31/2017	19,634.52	235,614.22	1,719,057.14	
2/1/2017	1/31/2018	20,223.55	242,682.65	1,961,739.78	
Total TAX Remaining on Lease -Annual Increase of 3%				1,961,739.78	294,260.97

Total Billing Calculated Over the Remaining Lease Term	9,002,695.22	1,350,404.28
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